

PETITION FOR ZONING VARIANCE 85-53-A

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 102-3-1 to permit a rear setback of 17' in lieu of the required 30'.

of the Zoning Regulations of Baltimore County to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

An additional bedroom and bathroom on first floor are necessary for the following reasons:

1. We are a family of four, two adults and two children - one boy and one girl who to date share a small bedroom. Both are of school age and need a bedroom of their own.
2. Due to several abdominal surgeries and a weak back, doctor has advised the limit of steps, thus a need for a bathroom on 1st floor. Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/We are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Legal Owner(s):
 (Type or Print Name) Mr. Gary Hunt
 Signature: (Type or Print Name) Mrs. Evelyn Hunt
 Address: (Type or Print Name) 1938 Walnut Avenue
 City and State: Baltimore, Maryland 21222
 Name, address and phone number of legal owner, contract purchaser or representative to be contacted: Hi-Skill Remodeling Co., Inc.
 Name: 1923 Queensway, #1772, 285-6972
 Address: 1923 Queensway, #1772, 285-6972
 Telephone No.: 1923 Queensway, #1772, 285-6972

ORDERED BY The Zoning Commissioner of Baltimore County, this 17th day of July, 1984, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 21st day of August, 1984, at 10:30 o'clock A.M.

Carl J. Jahn
 Zoning Commissioner of Baltimore County.

(over)

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
 SW/S Walnut Ave., 258.51' : OF BALTIMORE COUNTY
 SW of the Centerline of :
 Holabird Ave. (1938 Walnut :
 Ave.), 12th District :
 GARY HUNT, et ux, : Case No. 85-53-A
 Petitioners :
 ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
 Phyllis Cole Friedman
 People's Counsel for Baltimore County

Peter Max Zimmerman
 Peter Max Zimmerman
 Deputy People's Counsel
 Km. 223 Court House
 Towson, MD 21204
 494-2188

I HEREBY CERTIFY that on this 1st day of August, 1984, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Gary Hunt, 1938 Walnut Ave., Baltimore, MD 21222, Petitioners; and Hi-Skill Remodeling Co., Inc., 1923 Queensway, Baltimore, MD 21222, which requested notification.

Peter Max Zimmerman
 Peter Max Zimmerman

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

August 10, 1984

COUNTY OFFICE BUILDING
 111 W. Chesapeake Ave.
 Towson, Maryland 21204
 obo
 Nicholas B. Commodari
 Chairman

Mr. & Mrs. Gary Hunt
 1938 Walnut Avenue
 Baltimore, Maryland 21222

RE: Case No. 85-53-A (Item No. 6)
 Petitioner - Gary Hunt, et ux
 Variance Petition

Dear Mr. & Mrs. Hunt:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari
 Nicholas B. Commodari
 Chairman
 Zoning Plans Advisory Committee

NBC:bsc

Enclosures



BALTIMORE COUNTY
 DEPARTMENT OF TRAFFIC ENGINEERING
 TOWSON, MARYLAND 21204
 494-3550

STEPHEN J. COLLINS
 DIRECTOR

July 23, 1984

Mr. Arnold Jablon
 Zoning Commissioner
 County Office Building
 Towson, Maryland 21204

Item No. 5, 6, 7, 8 -ZAC- Meeting of July 17, 1984
 Property Owner:
 Location:
 Existing Zoning:
 Proposed Zoning:

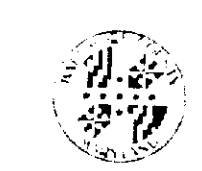
Acres:
 District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for item numbers 5, 6, 7, and 8.

Michael S. Plantigan
 Traffic Engineering Assoc. II

MSF/ccm



BALTIMORE COUNTY
 FIRE DEPARTMENT
 TOWSON, MARYLAND 21204-2586
 494-4500

PAUL H. REINCKE
 CHIEF

July 20, 1984

Mr. William Hammond
 Zoning Commissioner
 Office of Planning and Zoning
 Baltimore County Office Building
 Towson, Maryland 21204

Attention: Nick Commodari, Chairman
 Zoning Plans Advisory Committee

RE: Property Owner: Gary Hunt, et ux

Location: SW/S Walnut Avenue 258.51' S/W from c/l Holabird Avenue
 Item No.: 6 Zoning Agenda: Meeting of 7/17/84

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

1. Fire hydrants for the referenced property are required and shall be located at intervals or feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
2. A second means of vehicle access is required for the site.
3. The vehicle dead end condition shown at EXCEEDS the maximum allowed by the Fire Department.
4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
6. Site plans are approved, as drawn.
7. The Fire Prevention Bureau has no comments at this time.

REVIEWED: Noted and Approved: George M. Haganoff
 Planning Group Special Inspection Division
 Fire Prevention Bureau

/mb



BALTIMORE COUNTY
 DEPARTMENT OF PUBLIC WORKS
 TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
 DIRECTOR

July 26, 1984

Mr. Arnold Jablon
 Zoning Commissioner
 County Office Building
 Towson, Maryland 21204

Re: Item #6 (1984-1985)
 Property Owner: Gary Hunt, et ux
 5/WS Walnut Avenue 258.51' S/W from centerline Holabird Avenue
 Acres: Lot #102 "Holabird Park" 12-35

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

GENERAL COMMENTS:

As no public facilities are involved, this office has no comment.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Very truly yours,

Gilbert S. Benson, P.E., Asst. Chief
 Bureau of Public Services

GSB:EAM:DBS:iss



BALTIMORE COUNTY
 OFFICE OF PLANNING AND ZONING
 TOWSON, MARYLAND 21204
 494-3550
 NORMAN E. GERBER
 DIRECTOR

Mr. Arnold Jablon
 Zoning Commissioner
 County Office Building
 Towson, Maryland 21204

Re: Zoning Advisory Meeting of 7-17-84
 Item #6
 Property Owner: Gary Hunt, et ux
 Location: SW/S Walnut Ave.
 51' S/W from c/l Holabird Ave.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- [X] There are no site planning factors requiring comment.
- [] A County Review Group Meeting is required.
- [] A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- [] This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- [] A record plat will be required and must be recorded prior to issuance of a building permit.
- [] The access is not satisfactory.
- [] The circulation on this site is not satisfactory.
- [] The parking arrangement is not satisfactory.
- [] Parking calculations must be shown on the plan.
- [] This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- [] Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- [] Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- [] The amended Development Plan was approved by the Planning Board on
- [] Landscaping should be provided on this site and shown on the plan.
- [] The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is
- [] The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The basic service areas are re-evaluated annually by the County Council.
- [X] Additional comments:

Re: 17' rear setback variance

Eugene A. Roher
 Eugene A. Roher
 Chief, Current Planning and Development

cc: James Hoswell

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will not adversely affect the health, safety, and general welfare of the community, the variance(s) should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 21st day of August, 1984, that the herein Petition for Variance(s) to permit a rear yard setback of 17 feet in lieu of the required 30 feet for the expressed purpose of constructing a 10'6"x28' addition, in accordance with the site plan filed herein, is GRANTED, from and after the date of this Order.

ORDER RECEIVED FOR FILING
DATE August 21, 1984
BY Mary C. [unclear]
-201-61-0000

Jean M.H. Jung
Deputy Zoning Commissioner of
Baltimore County



BALTIMORE COUNTY
COMMISSIONER OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3900

TED ZAKSKI, JR.
DIRECTOR
Notary Public, State of Maryland
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Comments on Item # 6 Zoning Advisory Committee Meeting
are as follows:
Property Owner: Gary Hunt
Location: SWS Walnut Avenue
Existing Zoning: DR 5.5
Proposed Zoning: Variance to permit a rear setback of 20' in lieu of 30'
Acres: Lot 102
District: 12th

- The items checked below are applicable:
- All structure shall conform to the Baltimore County Building Code 1981/ Council will be 52 items of Maryland Code for the Building and Code and other applicable codes.
 - A building and other miscellaneous permits be required before beginning construction.
 - Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is not required.
 - Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
 - An exterior wall erected within 6'0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'-0" of lot lines. A fire wall is required if construction is on the lot line, see Table 101, line 2, Section 107 and Table 102.
 - Requested variance conflicts with the Baltimore County Building Code, Section/s.
 - A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
 - Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 401.
1. Comments:

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit.
If desired, additional information may be obtained by visiting Room #122 (Plan Review) at 111 West Chesapeake Ave., 21204.

Very truly yours,
Charles E. Burrows, Chief
Plan Review

CEB:rrj
PLM 01-82

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
FROM: Norman E. Gerber, Director
Office of Planning and Zoning
Zoning Petition Nos. 85-53-A, 85-54-A,
85-55-A, 85-56-A, 85-57-A, and 85-58-A
SUBJECT: 85-53-A, 85-54-A, 85-55-A, and 85-56-A

There are no comprehensive planning factors requiring comment on these petitions.

Norman E. Gerber
Norman E. Gerber, Director
Office of Planning and Zoning

NEG/JGH/sf

PETITION FOR VARIANCE 12th Election District

ZONING: Petition for Variance
LOCATION: Southwest side Walnut Avenue, 258.51 ft. Southwest of the centerline of Holabird Avenue (1938 Walnut Avenue)
DATE & TIME: Tuesday, August 21, 1984 at 10:30 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a rear yard setback of 17 ft. in lieu of the required 30 ft.

Being the property of Gary Hunt, et ux, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

M.H.C. No. 17464

Phone: (301) 285-6973

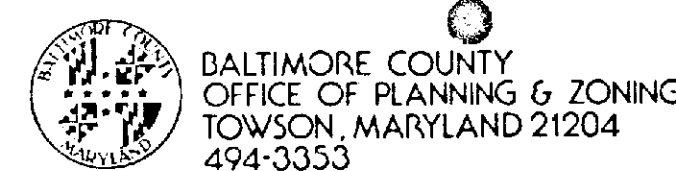
Hi-Skill Remodeling & Construction Company
"Full Service Contractor"
FREE ESTIMATES
1923 Queensway
Baltimore, Md. 21222

Leroy Taylor, Jr.
President

Thomas E. Laird, Sr.
Vice-President

ZONING DESCRIPTION

Southwest side of Walnut Ave., 258.51' Southwest of the centerline of Holabird Ave. Being lot #102 in the subdivision of Holabird Park, Liber #12, Folio #35. Also known as 1938 Walnut Ave., in the 12th District and 4th Precinct.



ARNOLD JABLON
ZONING COMMISSIONER

August 13, 1984

Mr. & Mrs. Gary Hunt
1938 Walnut Avenue
Baltimore, Maryland 21222

Re: Petition for Variance
SW/S Walnut Ave., 258.51' SW of the
c/l of Holabird Ave. (1938 Walnut Ave.)
Gary Hunt, et ux - Petitioners
Case No. 85-53-A

Dear Mr. & Mrs. Hunt:

This is to advise you that \$54.20 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 133235

DATE 8/13/84 ACCOUNT 2-01-61-000

AMOUNT \$54.20

RECEIVED FROM Gary Hunt
FOR Advertising into
85-53-A

C 027*****5420 2106

VALIDATION OR SIGNATURE OF CASHIER

July 25, 1984

Mr. & Mrs. Gary Hunt
1938 Walnut Avenue
Baltimore, Maryland 21222

NOTICE OF HEARING

Re: Petition for Variance
SW/S Walnut Avenue, 258.51 ft. SW of
the c/l of Holabird Ave. (1938 Walnut Ave.)
Gary Hunt, et ux - Petitioners
Case No. 85-53-A

TIME: 10:30 A.M.

DATE: Tuesday, August 21, 1984

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

cc: Hi-Skill Remodeling Co. Inc.
1923 Queensway
Baltimore, Maryland 21222

Arnold Jablon
Arnold Jablon
Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 131985

DATE 7/26/84 ACCOUNT 2-01-61-000

AMOUNT \$54.20

RECEIVED FROM Leroy Taylor
FOR Advertising into
Item 6

C 037*****3500 2062A

VALIDATION OR SIGNATURE OF CASHIER



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

August 21, 1984

Mr. and Mrs. Gary Hunt
1938 Walnut Avenue
Baltimore, Maryland 21222

Re: Petition for Variance
SW/S of Walnut Ave., 258.51' SW of
the center line of Holabird Ave.
(1938 Walnut Ave.) - 12th Election
District
Gary Hunt, et ux - Petitioners
No. 85-53-A (Item No. 6)

Dear Mr. and Mrs. Hunt:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,
Jean M.H. Jung
JEAN M.H. JUNG
Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc: Hi-Skill Remodeling Company, Inc.
1923 Queensway
Dundalk, Maryland 21222
People's Counsel

Leroy Taylor, Jr.
President

Hi-Skill Remodeling & Construction Company
"Full Service Contractor"
FREE ESTIMATES
1923 Queensway
Baltimore, Md. 21222

Thomas E. Laird, Sr.
Vice-President

July 5, 1984

To Whom It May Concern,

In behalf of the homeowners, Mr. and Mrs. Gary Hunt, and us, the Contractor, we ask for a speedy hearing and acceptance on the petition for a Zoning Variance for the property located at 1938 Walnut Ave.

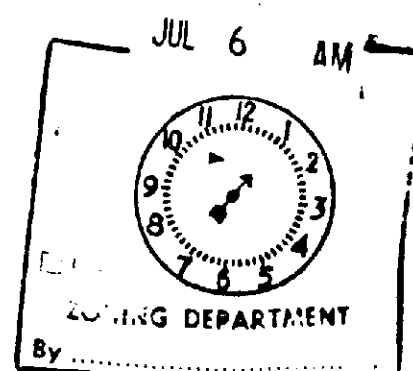
A permit was issued to us on June 18, 1984, permit #66443, to begin work. Work began on June 25, 1984 with the installation of a footer and block, at which time we stopped the project on the advice of the inspector and apply for a zoning variance.

Since the family has two small children, the homeowners and we at Hi-Skill feel this may be a potential hazard to the children. We have taken all precautions to make the area safe, but as most know, children are very imaginative.

Sincerely,

Leroy E. Taylor

Item #6
Hunt filed 7/6/84



CERTIFICATE OF PUBLICATION

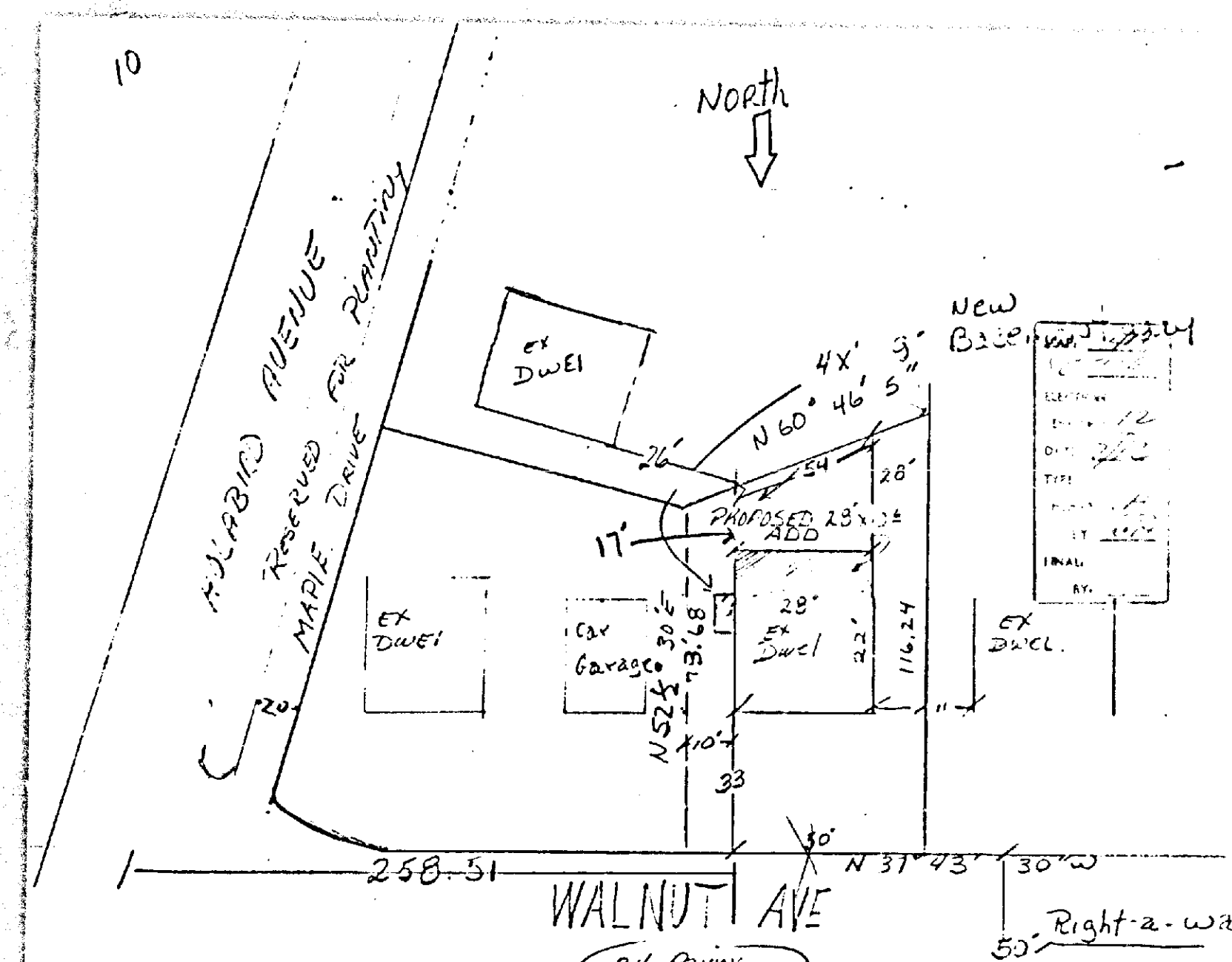
OFFICE OF
Dundalk Eagle

38 N. Dundalk Ave.
Dundalk, Md. 21222 August 2, 1984 19

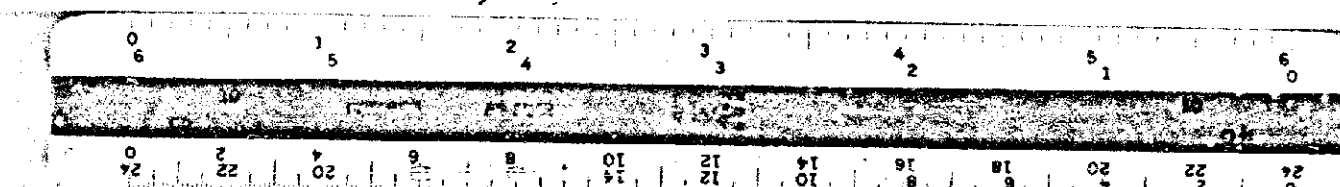
THIS IS TO CERTIFY, that the annexed advertisement of Arnold Jablon in the matter of P.O. #57805 - REQ. #L63237, was inserted in **The Dundalk Eagle** a weekly newspaper published in Baltimore County, Maryland, once a week for one successive weeks before the 3rd day of August 1984; that is to say, the same was inserted in the issues of August 2, 1984

Kimbel Publication, Inc.
per Publisher.

By *K.C. Della*



PLAT FOR ZONING VARIANCE
MR + MRS HUNT 1938 WALNUT AVE
DISTRICT 12 ZONED D.R.5.5
SUBDIVISION HOLABIRD PARK
LOT 102. BOOK "12 FOLIO 35
EXISTING LOTS IN WALNUT AVE
SCALE 1"=30'
1938
HOLABIRD AVE.
MAPLE DR. - CEDAR LANE
WALNUT AVE



CERTIFICATE OF PUBLICATION

TOWSON, MD., August 2, 1984

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on August 2, 1984.

THE JEFFERSONIAN,

JB Versteeg
Publisher

Cost of Advertising 30.00

PETITION FOR VARIANCE
12th Election District
ZONING: Petition for Variance
LOCATION: Southwest side
Walnut Avenue, 258.51 ft.
Southwest of the centerline
of Holabird Avenue (1938
Walnut Avenue)
DATE & TIME: Tuesday, Au-
gust 2, 1984 at 10:30 A.M.
PUBLIC HEARING: Room 106,
County Office Building,
111 W. Chesapeake Avenue,
Towson, Maryland
The Zoning Commissioner of
Baltimore County, by authority
of the Zoning Act and Regu-
lations of Baltimore County,
will hold a public hearing.
Petition for Variance to per-
mit a rear yard setback of 17
ft. in lieu of the required 30
ft.
Being the property of Gary
Hunt, et ux, as shown on plat
plan filed with the Zoning De-
partment.
In the event that this Peti-
tion is granted, a building
permit may be issued within
the thirty (30) day appeal pe-
riod. The Zoning Commissioner
will, however, entertain any
request for a stay of the lau-
ance of said permit during this
period for good cause shown.
Such request must be received
in writing by the date of the
hearing set above or made at
the hearing.
BY ORDER OF
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County
Aug. 2

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
17th day of July, 1984.

ARNOLD JABLON
Zoning Commissioner

Petitioner Gary Hunt, et ux
Petitioner's Attorney

Received by: *Nicholas B. Commodari*
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 12 Date of Posting 8/2/84
Posted for: *Petition for Variance*
Petitioner: *Gary Hunt, et ux*
Location of property: *258.51' Walnut Ave., 258.51' Walnut Ave.*
Location of Signs: *front of property at 1938 Walnut Ave.*
Remarks: *None*
Posted by: *Arnold Jablon* Date of return: *8/9/84*
Number of Signs: *1*